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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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07/863,791 04/06/92 CHEN

J	57017 P025
EXAMINER	

MOSLEY, T

ART UNIT	PAPER NUMBER
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1503  
DATE MAILED:

08/06/93

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on \_\_\_\_\_ ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892.        | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948.                   |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.             | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____  |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-12, 14-23 are pending in the application.  
Of the above, claims \_\_\_\_\_ are withdrawn from consideration.
2. ☒ Claims 13 have been cancelled.
3. ☐ Claims \_\_\_\_\_ are allowed.
4. ☒ Claims 1-12, 14-23 are rejected.
5. ☐ Claims \_\_\_\_\_ are objected to.
6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.
7. ☐ This application has been filed with Informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on \_\_\_\_\_, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received  
☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

PTOL-326 (Rev. 9-89)

7/863,791

Art Unit: 1503

***Response to Amendment***

Applicant's arguments filed 4-19-93 have been fully considered but they are not deemed to be persuasive.

***Claim Rejections - 35 USC § 102***

1. Claims 1-12 and 14-23 are rejected under 35 U.S.C. § 102(b) as being anticipated by Bohlen et al. and for reasons of record. Further, applicants' claimed invention, although previously amended, remains broadly defined. The overall method of "...printing a two-dimensional feature on a substrate..." remains anticipated by the prior art. The inclusion of the phrase "...less than or equal to the Raleigh limit.." still overlaps the prior art since the prior art has not limited the two edges to be separated by a distance **greater** than the Raleigh limit as applicants have apparently assumed. Thus, the prior art has specified no limitation as to the lower limit and thus includes those distances less than or equal to the Raleigh limit. And although the reference is not specifically directed to applicants' problem, the methods appear to be similar, if not identical, and thus would inherently result in applicants' improved image. Note that the intended "use" of applicants'

Art Unit: 1503

claimed invention, as noted on page 5 of applicants' argument, is irrelevant.

In view of the above, there appears to remain no significant difference between the reference and that which is claimed by applicants. Consequently, the claimed invention cannot be deemed as novel and accordingly is unpatentable.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Note that although claims 2-12 and 14-23 were not previously rejected under 35 USC 102 but instead were rejected under 35 USC 103, the above does not amount to a new ground of rejection, inasmuch as anticipation is the epitome of obviousness. In re May, 574 F.2d 1082, 197 USPQ 601 (CCPA 1978)

Serial Number: 07/863,791

-4-

Art Unit: 1503

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Mosley whose telephone number is (703) 308-2351.

tmm  
August 5, 1993

  
JOHN KIGHT, III  
SUPERVISORY PATENT EXAMINER  
GROUP 1500